

AMENDMENT TO H.R. 7

OFFERED BY MS. RICHARDSON OF CALIFORNIA

At the end of Title I, Subtitle G, add the following new sections:

SEC. ____ . PREVENTION OF UNREASONABLE FEES.

Section 14501(d) of title 49, United States Code is amended—

- (1) in paragraph (1), by striking `on account of the fact that a motor vehicle' and inserting `to be paid with respect to a motor vehicle that';
- (2) by redesignating paragraphs (2) and (3) as paragraph (3) and (4), respectively;
- (3) by inserting after paragraph (1) the following:
 - `(2) TRANSPORTATION TERMINAL FEES PROHIBITED- An operator of a transportation terminal that, at any time after the date of enactment of the Prevention of Unreasonable Fees Act, uses any Federal funds for the construction, expansion, renovation, or other capital improvement of such transportation terminal, or for the purchase or lease of any equipment installed in such transportation terminal or on its property, may not charge any fee to a provider of prearranged ground transportation service described in paragraph (1), except--
 - `(A) a fee charged to the general public for access to, or use of, any part of the transportation terminal;
 - `(B) a fee for the availability of ancillary facilities at the transportation terminal that is reasonable in relation to the costs of operating the ancillary facilities; or
 - `(C) a fee for such access, use, or availability that the Secretary has approved in advance after making a determination that the fee is reasonable, nonburdensome, nondiscriminatory, necessary, and appropriate to the provision of prearranged ground transportation service.';
- (4) by amending paragraph (3), as redesignated, to read as follows:
 - `(3) DEFINITIONS- In this section:
 - `(A) ANCILLARY FACILITIES- The term `ancillary facilities' includes restrooms, vending machines, monitoring facilities that advise parties accessing the transportation terminal of arrivals or departures of aircraft, buses, trains, ships, or boats, and such other facilities determined by the Secretary to be necessary, appropriate, desirable, or useful to the business of providing prearranged ground transportation service.
 - `(B) INTERMEDIATE STOP- The term `intermediate stop', with respect to transportation by a motor carrier, means a pause in the transportation in order for 1 or more passengers to engage in personal or business activity if the driver providing the transportation to such passengers does not, before resuming the transportation of at least 1 of such passengers, provide transportation to any other person not included among the passengers being transported when the pause began.
 - `(C) TRANSPORTATION TERMINAL- The term `transportation terminal' means any airport, port facility for ships or boats, train station, or bus terminal, including any principal building and all ancillary buildings, roads, runways, and other facilities.'; and
- (5) in paragraph (4), as redesignated--
 - (A) in subparagraph (B)--

- (i) by striking 'an airport, train, or bus' and inserting 'a transportation'; and
 - (ii) by striking 'and' at the end;
- (B) by redesignating subparagraph (C) as subparagraph (D);

(C) by inserting after subparagraph (B) the following:

'(C) as prohibiting or restricting a transportation terminal operator from requiring vehicles that cannot safely use parking facilities that are otherwise available to the general public to use segregated facilities, if the fee for such facilities is not more than the amount charged to the public for similar facilities;';

(D) in subparagraph (D), as redesignated, by striking the period at the end and inserting `; or'; and

(E) by inserting after subparagraph (D), as redesignated, the following:

'(E) as restricting the right of any State or political subdivision of a State to require a license or fee (other than a fee by a transportation terminal operator prohibited under paragraph (2)) with respect to a vehicle that is providing transportation not described in paragraph (1).'

SEC. ____ . REGULATIONS.

(a) In General- Not later than one year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations to carry out the provisions of section 14501(d) of title 49, United States Code, as amended by section 3.

(b) Provisions- The regulations promulgated pursuant to subsection (a) shall include--

(1) a comprehensive list of the ancillary facilities determined by the Secretary to be necessary, appropriate, desirable, and useful to the business of the provision of prearranged ground transportation service;

(2) a schedule of suggested fees that--

(A) may be charged for such ancillary facilities by any transportation terminal operator to a provider of prearranged ground transportation service for the availability of the ancillary facility; and

(B) are determined by the Secretary to be reasonable in relation to the costs of operating the ancillary facility;

(3) a requirement that any fee proposed by a transportation terminal operator for the availability of an ancillary facility may not be greater than the fee for such ancillary facility provided in the schedule described in paragraph (2), unless the fee is approved in advance by the Secretary after a public hearing and determination that the proposed fee and the amount of the fee for the availability of such ancillary facility at such transportation terminal--

(A) is reasonable in relation to the costs of operating the ancillary facility; and

(B) otherwise complies with section 14501(d) of title 49, United States Code; and

(4) such other provisions as the Secretary determines to be necessary or appropriate to carry out such section 14501(d) in a manner that prevents the imposition by a transportation terminal operator of--

(A) fees to be paid by or with respect to a motor vehicle that is providing prearranged ground transportation service; or

(B) any other discriminatory or punitive action or measure against, or with respect to, a motor vehicle that is providing prearranged ground transportation service.